



20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF:

Danny L. BEASLEY, et al.

Application Serial No.: 09/683,582

Application Filing Date: January 22, 2002

Title: **COMPUTER INTERCONNECTION
SYSTEM**

Attorney Docket: 2540-0617

Group Art Unit: 2152

Examiner: DINH, Dung C.

2nd RCE Filing Date: May 16, 2005

Date: September 15, 2005

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Copies of any non-U.S. patent or publication references are attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

It is noted that Avocent Redmond is now the owner of this patent and is the successor in interest to Apex PC Solutions. Moreover, Cybex is also now a subsidiary of Avocent, making Avocent Redmond and Cybex sister companies.

Several deposition transcripts have been cited herewith from various litigations. While certain sections have been pointed out as having been cited in previous pleadings, the depositions should be considered as a whole as other portions may also be relevant to the examiner's consideration.

The submission of any document herewith, which is not a statutory bar, is not intended that any such document constitutes prior art against any of the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R.

In re Application of: Danny L. BEASLEY, et al.
Application S.N.: 09/683,582
Page 2 of 2

§ 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference against the claims of the present application.


This Information Disclosure Statement is being filed within three (3) months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

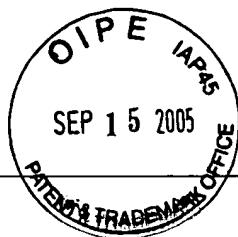
CUSTOMER NUMBER

42624

Davidson Berquist Jackson & Gowdey, LLP
4300 Wilson Boulevard, 7th Floor
Arlington, VA 22203
Main: (703) 894-6400
FAX: (703) 894-6430

Respectfully submitted,


Michael R. Casey, Ph.D.
Registration No.: 40,294



FORM PTO-1449 (modified)

**Information Disclosure
Statement by Applicant**

Application number	09/683,582
First named inventor	Danny L. BEASLEY
Art Unit	2152
Filing Date	January 22, 2002
Examiner	DINH, Dung C.
Attorney Docket No	2540-0617
Confirmation Number	4130
Sheet	1 of 4
Date	September 15, 2005

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of cited document
		Number-Kind Code		
	AR	US- 5,309,564	05-03-1994	BRADLEY et al.
	BR	US- 6,519,540	02-11-2003	SALANDRO
	CR	US-		
	DR	US-		
	ER	US-		
	FR	US-		
	GR	US-		
	HR	US-		
	IR	US-		
	JR	US-		
	KR	US-		
	LR	US-		
	MR	US-		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of cited document	English Abstract Enclosed	ENGLISH TRANSLATION ENCLOSED
		Country Code-Number-Kind Code				
	NR				<input type="checkbox"/>	<input type="checkbox"/>
	OR				<input type="checkbox"/>	<input type="checkbox"/>
	PR				<input type="checkbox"/>	<input type="checkbox"/>
	QR				<input type="checkbox"/>	<input type="checkbox"/>
	SR				<input type="checkbox"/>	<input type="checkbox"/>
	TR				<input type="checkbox"/>	<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* **Examiner:** Initial reference if considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance **and** not considered. Please include copy of this form with next communication to Applicant.



<p>FORM PTO-1449 (modified)</p> <p>Information Disclosure Statement by Applicant</p>				Application number	09/683,582
				First named inventor	Danny L. BEASLEY
				Art Unit	2152
				Filing Date	January 22, 2002
				Examiner	DINH, Dung C.
				Attorney Docket No	2540-0617
				Confirmation Number	4130
Sheet	2	of	4	Date	September 15, 2005

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	English Translation Enclosed
	UR	Raritan Computer Inc. Dominion KX Digital KVM Switch: KVM Control via Web Browser Product Brochure, c2005, 4 pages.	<input type="checkbox"/>
	VR	Fox Network Systems, Inc. Net-911 Key-View System User's Reference Manual, Revision 3.3, July 7, 1994.	<input type="checkbox"/>
	WR	Decision, Apex Inc. v. Raritan Computer, Inc., Case no. 02-1303, United States Court of Appeals for the Federal Circuit, 325 F.3d 1364; 2003 U.S. App. LEXIS 6321; 66 U.S.P.Q.2D (BNA) 1444, April 2, 2003, 16 pages.	<input type="checkbox"/>
	XR	Decision, Apex Inc. v. Raritan Computer, Inc., Case no. 01 CIV. 4435 (MP), United States District Court for the Southern District of New York, 187 F. Supp. 2d 141; 2002 U.S. Dist. LEXIS 3466, February 25, 2002, 32 pages.	<input type="checkbox"/>
	YR	Table comparing Claims of U.S. Patent No. 6,345,323 with U.S. Patent No. 5,721,842; Avocent Redmond Corp. formerly known as APEX, Inc. v. Raritan Computer, Inc., Case no. 1:01-cv-04435 (PKC), 1 page, (prepared by Raritan).	<input type="checkbox"/>
	ZR	Amended Answer, Affirmative Defenses and Counterclaims with Exhibits A, B, F, H, I and M, Avocent Redmond Corp. formerly known as Apex, Inc. v. Raritan Computer, Inc., Case no. 1:01-cv-04435-PKC, United States District Court Southern District of New York, filed March 23, 2005.	<input type="checkbox"/>
	AAR	Reply to Opposition to Petition to Waive the Rules and Protest filed in U.S. Patent Application Serial No. 08/969,723 on February 24, 1999 (by Cybex prior to becoming a sister company to Apex (now Avocent Redmond)), 8 pages.	<input type="checkbox"/>
	BBR	Memorandum in Support of Defendant Raritan Computer, Inc.'s Motion to Re-Open Discovery and Modify the Scheduling Order in this Case, Avocent Redmond Corp. v. Raritan Computer, Inc., Case no. 1:01-cv-04435-PKC, United States District Court Southern District of New York, filed March 22, 2005.	<input type="checkbox"/>
Examiner Signature		Date Considered	

* Examiner: Initial reference if considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance **and** not considered. Please include copy of this form with next communication to Applicant.



FORM PTO-1449 (modified)

**Information Disclosure
Statement by Applicant**

Information Disclosure Statement by Applicant				Application number	09/683,582
				First named inventor	Danny L. BEASLEY
				Art Unit	2152
				Filing Date	January 22, 2002
				Examiner	DINH, Dung C.
				Attorney Docket No	2540-0617
				Confirmation Number	4130
Sheet	3	of	4	Date	September 15, 2005

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	English Translation Enclosed
	CCR	Avocent Redmond's Supplemental Responses to Raritan's First Set of Interrogatories, Avocent Redmond Corp. v. Raritan Computer, Inc., Case no. 1:01-cv-04435-PKC, United States District Court Southern District of New York, filed March 14, 2005.	<input type="checkbox"/>
	DDR	Avocent Redmond's Supplemental Responses to Raritan's Second Set of Interrogatories (Nos. 20-22), Avocent Redmond Corp. v. Raritan Computer, Inc., Case no. 1:01-cv-04435-PKC, United States District Court Southern District of New York, filed March 14, 2005.	<input type="checkbox"/>
	EER	Avocent Redmond's Supplemental Responses to Raritan's Second Set of Post-Remand Interrogatories (Nos. 15R-17R), Avocent Redmond Corp. v. Raritan Computer, Inc., Case no. 1:01-cv-04435-PKC, United States District Court Southern District of New York, filed March 14, 2005.	<input type="checkbox"/>
	FFR	Avocent Redmond's Response to Raritan's Third Set of Post-Remand Interrogatories (No. 18R) [S/C: Nos. 18R-19R], Avocent Redmond Corp. v. Raritan Computer, Inc., Case no. 1:01-cv-04435-PKC, United States District Court Southern District of New York, filed March 14, 2005.	<input type="checkbox"/>
	GGR	Avocent Redmond's Response to Raritan's Second Set of Post-Remand Requests for Production of Documents and Things (Nos. 30R-33R) [S/C: Nos. 30R-31R], Avocent Redmond Corp. v. Raritan Computer, Inc., Case no. 1:01-cv-04435-PKC, United States District Court Southern District of New York, filed March 14, 2005.	<input type="checkbox"/>
	HHR	Videotape 30(b)(6) Deposition Transcript upon Oral Examination of Danny Beasley (Volume 1), Apex PC Solutions, Inc. v. Cybex Computer Products and Rose Electronics, Case nos. C98-246Z and C98-245Z, United States District Court for the Western District of Washington at Seattle, December 9, 1998. See e.g., pages 1-8, 232-234 cited by Raritan.	<input type="checkbox"/>
	IIR	Videotape 30(b)(6) Deposition Transcript upon Oral Examination of Danny Beasley (Volume 2), Apex PC Solutions, Inc. v. Cybex Computer Products and Rose Electronics, Case nos. C98-246Z and C98-245Z, United States District Court for the Western District of Washington at Seattle, December 10, 1998. See e.g., pages 384 and 581-607 cited by Raritan.	<input type="checkbox"/>
Examiner Signature			Date Considered

* **Examiner:** Initial reference if considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance **and** not considered. Please include copy of this form with next communication to Applicant.



FORM PTO-1449 (modified) Information Disclosure Statement by Applicant				Application number	09/683,582
				First named inventor	Danny L. BEASLEY
				Art Unit	2152
				Filing Date	January 22, 2002
				Examiner	DINH, Dung C.
				Attorney Docket No	2540-0617
				Confirmation Number	4130
Sheet	4	of	4	Date	September 15, 2005

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	English Translation Enclosed
	JJR	Videotape 30(b)(6) Deposition Transcript upon Oral Examination of Danny Beasley (Volume 3), Apex PC Solutions, Inc. v. Cybex Computer Products and Rose Electronics, Case nos. C98-246Z and C98-245Z, United States District Court for the Western District of Washington at Seattle, December 11, 1998.	<input type="checkbox"/>
	KKR	Video Deposition Transcript of Doyle C. Weeks, Avocent Redmond Corp. v. Raritan Computer, Inc., Case No. 01 CV 4435 (PKC), In the United States District Court Southern District of New York, March 15, 2005. See e.g., pages 1-7, 97-100, 117-120, 127-131, 153-164 and 225-226 cited by Raritan.	<input type="checkbox"/>
	LLR		<input type="checkbox"/>
	MMR		<input type="checkbox"/>
	NNR		<input type="checkbox"/>
	OOR		<input type="checkbox"/>
	PPR		<input type="checkbox"/>
	QQR		<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* Examiner: Initial reference if considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance **and** not considered. Please include copy of this form with next communication to Applicant.